

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

FILED

JAN 31 2012

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY DEPUTY CLERK

ROSARIO DIVINS,

Movant,

VS.

UNITED STATES OF AMERICA,

Respondent.

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CIVIL ACTION NO. SA-11-CA-547-FB
[Criminal Case No. SA-08-CR-889-FB]

J U D G M E N T

The Court considered the Judgment to be entered in the above-styled and numbered cause.

Consistent with the Order Accepting Memorandum and Recommendation of the United States Magistrate Judge filed in this cause on this same date,

It is hereby ORDERED, ADJUDGED and DECREED that the Memorandum and Recommendation of the United States Magistrate Judge filed in this case on January 17, 2012 (docket #116), is ACCEPTED such that Rosario Divins' motion to vacate sentence pursuant to 28 U.S.C. § 2255 is DENIED, a certificate of appealability is DENIED, and the case is DISMISSED. Motions pending, if any, are DISMISSED.

It is so ORDERED.

SIGNED this 31st day of January, 2012.


FRED BIERY
CHIEF UNITED STATES DISTRICT JUDGE